

REMARKS

Claims 1-8 are pending in the above identified application. Claims 9-18 were withdrawn from consideration and have been canceled. The Examiner has rejected claims 1-8. Applicant has amended claim 1 and canceled claim 2 in this amendment.

The Examiner has restricted the originally filed 18 claims between claims 1-15 and 18 and claims 16 and 17 and further required an election of species between claims 1-8 and claims 9-15 and 18. Applicant has elected to prosecute claims 1-8 in the present application. Further, in this action, the Examiner has allowed claims 2 and 8 and rejected claims 1 and claims 3-7.

Claim Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1 and 3-7 under 35 U.S.C. § 103(a) as being unpatentable over Street in view of Makamura et al. However, the Examiner has also indicated that claim 2 “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (OA, pg. 4). Applicant has amended claim 1 to include the limitations of claim 2. Therefore, claim 1 is allowable. Claims 3-7 depend from claim 1 and are therefore allowable for at least the same reasons as is claim 1.

Allowable Subject Matter

The Examiner has allowed claim 8 and objected to claim 2. Further, the Examiner has indicated that claim 2 “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” Accordingly, the limitations of claim 2 have been incorporated into claim 1 and claim 2 has been canceled.

Conclusion

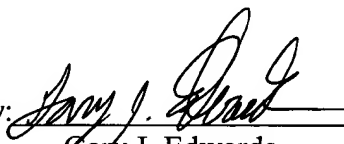
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 30, 2004

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